



A PROCLAMATION,

Reviving the Laws anent Hunting, Hawking, Fishing and appointing Masters of Game.



CHARLES, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, To

Macers, or Messengers at Arms, Our Sheriffs in that part, conjunctly and severally, specially constituting Greeting; We thinking to Our Consideration the great prejudice the Kingdom doth sustain in the decay of Deer, Roes, and Wild-Fowl, and that there is not only danger of an utter decay of so useful Creatures; but the Manly Exercises of Hunting and Hawking, like to be altogether neglected; And albeit Our Royal Progenitors have made many good Laws to prevent and repair this great evil and mischief, and against the destroying of Smots or Trout, with Creels, and other Engines, anent Cruives and Zaires, steeping of Lint in Rivers, Lochs and Burns, where Fish are; which good Laws, although they be yet in force unrepealed, yet by the distractions of the late Times, they have been less regarded these many Years by gone, to the enormous lesion of Our People, and contempt of Our Authority: Have therefore, with Advice of Our Privy Council, thought fit hereby to Revive all the Laws that stand yet unrepealed, or innovate, for preserving of Doe, Roe, Hares, and Wild-Fowl; and especially the 31 Act of the 23 Parliament of K. James the sixth, whereby all Persons who are not Heretors, are prohibited to Hunt or Hawk, and that neither Heretor or other shoot Deer or Roe in time of Snow: As also, the 11 Act of the 4 Parliament of K. James the fifth, and 210 Act of the 14 Parliament of K. James the sixth, by which, Letters are ordained to be direct, charging all Keepers of His Majesties Forrests, to permit no Pasturage within the Marches of the Forrests,

but that they seize and escheat them, under the pain of loss of their Office; and that Forresters of Forrests belonging to private Men, shall apprehend such as travel with Guns or Dogs in Forrests, and carry them to the nearest Sheriff, or Justice of Peace, to be secured, to answer as accords of the Law; and that all such of the Leidges who shall be required to concur to apprehend such Persons, give ready Obedience, as is ordained by the Forrest Laws, cap. 15, and cap. 22, and those who conceal them, to be fined as Art and Part of the said fault. And further, We do hereby forbid all shooting of Hares, or Herron at any time, under the pains contained in the Acts of Parliament made thereanent. Item, That all Persons forbear to slay any Muir-fowl, Heath-fowl, Partridge, Quail, Duck, or Mallard, Tale, or Tormichan, from and after the first day of Lent, to the first of July yearly, according to the 108 Act. Parl. 7. K. Ja. 1. excepting Water-fowl with Hawks in Dredging-time. Item, The 23 Act. Parl. 16. K. Ja. 6. Forbidding the killing of Muir-fowl-pouts before the first of July, Heath-pouts before the first of August, or Partridge or Quail before the first of September yearly. Item, We Revive the 48 Act. Parl. 4. K. Ja. 4. forbidding Muirburn after the last of March, and the Masters to be lyable for all upon their Land. And further, We considering that Setting-Dogs, and other Engines for killing of Fowl, is a great cause of the scarcity of Game; We do hereby prohibite and discharge all Persons, to have or use Setting-Dogs, on this side of the River of Tay, nor besouth Clyde on the West Coast; and that none have or use them benorth Tay or Clyde, unless he be an Heretor of one thousand Pound of valued Rent, and have express License of the Master of Our Game within their several Bounds, under the pain of five hundred Merks, *toutes quoties*, in case of failzie. And We do hereby discharge all common Fowlers, and Shooters of Fowl, or any Persons, except they be Domestick-Servants to Noblemen or Gentlemen, who are Heretors of one thousand Pound Scots of valued Rent, to have or make use of Setting-Dogs or Fowling-pieces, under the pain of escheat of such Dogs or Guns, and imprisonment of their Persons for the space of six Weeks, *toutes quoties*. Item, We Revive the 210 Act. Parl. 14. K. Ja. 6. whereby Shooting, Hunting, or Hawking within six Miles of Our Palaces are prohibited, under the pains



therein contained, without express License of the Master of the Game : And seeing the Fowls, Hares and Roes are already so far destroyed, that there is just ground to fear a total decay thereof, We therefore with Advice foresaid, do Rivive the 23 *Act. Parl. 16. K. Ja. 6.* forbidding all selling or buying of Deer, Roe, Hares, Muir-fowl, Tormichan, Heath-fowls, Partridge, or Quail, for the space of three Years next ensuing *April*, in this instant Year 1680, under the pains contained in the said *Act* ; And for the better discovery of the Contraveeners, We do hereby give Warrant to the Masters of Our Game in the respective Bounds, to make search for any of the saids Deer, Roe, Hares, Muir-fowl, Tormichan, Heath-fowls, Partridge, or Quail in any suspect place, within or without Burgh, either in the Houses of common Fowlers, Buyers, or Sellers, and to seize upon, secure and confiscate the same for their own use ; as also to apprehend the same at the Ports of any Burghs, or other places, and confiscate the same as aforesaid. *Item*, We do hereby Revive the 51 *Act. Parl. 6. of Q. Mary*, forbidding Hunting on other Mens Ground without leave of the Owner. And whereas by the 11 *Act. Parl. 1. K. Ja. 1.* Cruives and Zaires set on fresh Water without express Infectments of Salmon-Fishing, are ordained to be destroyed and put away for ever, and that where Cruives are allowed by Infectments, that ilk Heck be three Inch wide, which is ratified by the 73 *Act. Parl. 10. K. Ja. 3.* And by the 87 *Act. Parl. 14. K. Ja. 2.* It is statute that no Man set Vessels, Creels, Weirs, Nets, or any other Engine to hinder Smolts from going to the Sea, and that Coups, Masses, Nets, Prins set on Waters that has course to the Sea be destroyed, and who holds them up, to be lyable as destroyers of red Fish. *Item*, That all Millers that slays Smolts or Trouts with Creels, or any other Engine ; or any who Dams or Laves, shall be punishable as Slayers of red Fish, conform to the 37 *Act. Parl. 5. K. Ja. 3.* And where the Transgrefsiours has no Means, they are appointed to be put in Prison, Irons, or Stocks, for the space of one Month upon their own Expences ; and if they have it not of their own, to be fed on Bread and Water, conform to the 89 *Act. Parl. 6. K. Ja. 6.* And by the 13 *Act. Parl. 18. K. Ja. 6.* The steeping of Lint in Rivers, Lochs, or Burns where Fish are, is discharged, under the pain of fourty Shilling Scots, *toties quoties*, and confiscation of the Lint : Which good and ancient Laws yet standing unrepealed or innovate, We have thought fit hereby to Revive and Ordain to be put in Execution : Ordaining hereby the Masters of Our Game to require all Heretors and others, to throw down all Cruives and Zaires set on fresh Water, without express Infectment of Salmon-Fishing, betwixt and the first of *June* next, under the pain of one hundred Pounds Scots, to be uplifted off these who refuse, and the Sheriffs and their Deputes to give speedy Justice therefore when desired by the Masters of Game, or their Deputes. And We appoint the several Sheriffs and their Deputes, Stewarts of Stewartries, Bailiffs of Regalities and their Deputes, and Magistrates of the next adjacent Burrows to concur with the Masters of Game, for throwing down of the saids Cruives, Creels, Nets and Engines, when they shall be required ; and if the saids Judges be found negligent, that the foresaid Penalty be uplifted off themselves, according to the 68 *Act. Parl. 9. of Q. Mary.* And to the effect the saids Laws may receive the more vigorous Execution, We do hereby Commissionate the Persons following to be Masters of Game, within the respective Bounds after specified, *viz.* Mr. *John Maitland*, for the Shire of *Edinburgh* ; the Earl of *Haddington*, for East *Lothian* ; the Earl of *Linlithgow*, for *Linlithgow* Shire ; the Earl of *Mar*, for *Stirling* Shire, the Earl of *Rothes*, Lord *Chancellor*, for *Fife* and *Kinross* ; the Marques of *Athol*, Lord *Privy Seal*, for *Perth* Shire ; the Earl of *Southesk*, for *Forsar* Shire ; the Earl *Marischal*, for the Shire of *Kincardin*, and for all below *Mormouth* Hill, and the Water of *Eugie* in *Bamff* Shire ; and the Earl of *Airly*, for all the rest of *Bamff* Shire ; the Earl of *Dumfermling*, for all betwixt *Crathes*, *Bannackie*, and the Sea in *Aberdene* Shire ; the Earl of *Aboyne*, in all above that in the said Shire ; the Earl of *Murray*, for all from *Spey* to *Ness*, high and low, comprehending *Elgin*, *Nairn* and *Innerness* Shires, to *Lochness* ; the Earl of *Seaforth*, from *Ness* to *Conan*, high and low, comprehending *Cromarty* Shire ; Sir *George Mckenzie* of *Tarbet*, Lord *Justice General*, from *Conan* to *Portnaculter* and *Okel*-Water, and on the West from *Lochew* to *Cuiliack* ; the Lord *Duffus*, for *Sutherland*, excepting *Affint*, which is in the last division ; the Earl of *Caithness*, for *Caithness* ; Captain *Andrew Dick*, for *Orkney* ; the Earl of *Argile*, for *Argile* Shire ; the Earl of *Home*, for the Shire of *Perrwick* ; the Earl of *Roxburgh*, for the Shire of *Teviotdale* ; the Lord Duke of *Hamilton*, for *Lanerk* Shire ; the Earl of *Kilmarnock*, for the Shire of *Air* ; the Laird of *Pofo*, younger, for *Peebles* Shire ; the Earl of *Glencairn*, for the Shire of *Renfrew* ; the Marques of *Montrose*, for the Shire of *Dumbartoun* ; the Laird of *Burghtoun*, for the Shire of *Wigtoun* ; the Earl of *Nithsdale*, for the Stewartry of *Kircudbr. bt* ; the Earl of *Queensberry*, for the Shire of *Dunfries*. Hereby Empowering and Warranting them to put the standing Laws in Execution, in so far as concerns the preserving of Forrests, Wild-fowl and Fishing, especially the Laws and other Ordinances above specified. And We Require all Our Judges in their respective Jurisdictions, to give speedy Justice in favours of the said Masters of Our Game, or their Deputes, when they persue Delinquents before them. And for further capacitating of Our said Masters of Game, We Empower them to appoint Deputes, one or moe, as they shall find expedient ; And to encourage them in so good Service to Us, and Our People, We hereby allow Our parts of all Fines and Unlaws due to Us by Our Laws, for the Crimes relating to Forrests, Game, and Fishing, in favours of the saids Masters of Our Game within their respective Bounds, and during the time We shall think fit to employ them in the said Service ; Withall certifying them, that if they be remiss or negligent in their duty, they are to be fined by Our Privy Council, according to the quality of their offence. And We Declare Our said Commission is to continue and endure until We or Our Privy Council think fit to recall the same. Our Will is therefore, and We charge you straitly, and Command, that incontinent, these Our Letters seen, ye pass to the Mercat-Crofs of *Edinburgh*, and other Mercat-Crosses of the Head-Burghs of the several Shires of this Kingdom, and other places needful, and there by open Proclamation, make publication of the Premises ; And that these Presents be printed, that none pretend ignorance. Given under Our Signet, at *Edinburgh*, the second day of *March*, One thousand six hundred and eighty Years. And of Our Reign the thirty two Year.

Per actum Dominorum Secreti Concilij,
A. L. GIBSON, Cl. Sti. Concilij.

GOD saye the King.

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